

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

In re the Application of

Paul Alexander DE VRIES et al.

Examiner: Tima Michele McGuthry Banks

Application No.: 10/516,889

Art Unit: 1793

Filed: December 3, 2004

Confirmation No.: 1709

For: METHOD FOR FRACTIONAL CRYSTALLISATION OF A MOLTEN METAL

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO FINAL OFFICE ACTION

Sir:

In response to the Final Office action mailed May 30, 2008, Applicants respectfully request withdrawal of the finality of the Office action. The only rejection was that the Terminal Disclaimer was filed without the fee. Applicants respectfully submit the Patent Office should have notified the Applicants of this by a Notice of Non-compliant Amendment with a 30 day extendible period for response.

In response to the obviousness-type double patenting rejection, Applicants respectfully request the previously filed Terminal Disclaimer be accepted. A credit card authorization for its fee accompanies this Response. Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account 14.1437. Please credit any excess fees to such account.

Applicants also thank the Examiner for indicating the claims are allowable but for the Terminal Disclaimer fee.

NOVAK DRUCE + QUIGG, LLP  
1300 Eye St. N.W.  
Suite 1000 West  
Washington, D.C. 20005

Respectfully submitted,  
NOVAK DRUCE + QUIGG, LLP

By: /anthony p venturino/

Phone: (202) 659-0100

Anthony P. Venturino

Fax: (202) 659-0105

Registration No. 31,674

Date: Friday, June 20, 2008

Attorney Docket No. 8674.024.US0000

APV/MPB